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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT)
 ANTITRUST LITIGATION

Master File No. 3:07-md-05944-SC (N.D.
 Cal.)

MDL No. 1917

This Document Relates to: Individual Cases:
 No. 13-cv-2171 (SC)

Dell Inc., et al. v. Hitachi Ltd. et al., No. 13-
 cv-02171.

**DECLARATION OF MATTHEW D.
 KENT IN SUPPORT OF DELL INC.
 AND DELL PRODUCTS, L.P.'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL**

1 I, **MATTHEW D. KENT**, declare as follows:

2 1. I am a Partner with the law firm of Alston & Bird LLP, counsel for Plaintiffs Dell Inc.
3 and Dell Products L.P. (collectively, "Dell") in the above-captioned action currently pending in the
4 U.S. District Court for the Northern District of California. I submit this declaration in support of Dell's
5 Administrative Motion to File Documents Under Seal, related to Plaintiffs' Reply Brief in Further
6 Support of Their Motion to Partially Exclude the Expert Report and Opinions of Janusz A. Ordovery,
7 Ph.D. ("Reply Brief"). I have personal knowledge of the facts stated herein, and I could and would
8 competently testify thereto if called as a witness.

9 2. I am a member in good standing of the State Bar of Georgia and am admitted to practice
10 before the U.S. District Court for the Northern District of Georgia. I have also been admitted to this
11 Court *pro hac vice* as counsel for Dell pursuant to the Court's Pretrial Order No. 1 in the MDL
12 Proceeding.

13 3. Pursuant to Civil Local Rules 7-11 and 79-5, and in accordance with this Court's
14 General Order No. 62, effective May 10, 2010, Dell, by and through its counsel, respectfully requests
15 an Order permitting it to file under seal portions of the Reply Brief. These portions of the Reply Brief
16 refer to or contain excerpts from exhibits the Declaration of Debra D. Bernstein ("Bernstein
17 Declaration") filed in support of Plaintiffs' Motion to Partially Exclude the Expert Report and
18 Opinions of Janusz A. Ordovery, Ph.D. ("Opening Brief").

19 4. On December 5, 2014, Dell filed an administrative motion to seal the exhibits to the
20 Bernstein Declaration, as well as portions of the Opening Brief that refer to or contain excerpts from
21 the exhibits to the Bernstein Declaration. *See* MDL Dkt. No. 3169.

22 5. On January 29, 2015, the Court granted Dell's administrative motion. *See* MDL Dkt.
23 No. 3498.

24 6. The Reply Brief refers to or contains excerpts from the same exhibits to the Bernstein
25 Declaration, specifically, Exhibits B and D.

26 7. **Exhibit B** to the Bernstein Declaration is a copy of the August 5, 2014, Expert Report
27 of Janusz A. Ordovery, Ph.D., which is designated by Defendants as Highly Confidential. Exhibit B
28 contains excerpts from Dr. Rao's April 15, 2014, Report regarding Dell's procurement of CDTs and the

1 overcharges to Dell as a result of its purchases of CDT Monitors. Exhibit B also contains express
2 reference to prices Dell paid for CDTs. Dell considers this information to be confidential and sensitive
3 business information, the public disclosure of which would be harmful to Dell. In addition, Exhibit B
4 contains excerpts from or references to materials designated by other parties as “Confidential” or
5 “Highly Confidential” under a Protective Order.

6 8. **Exhibit D** to the Bernstein Declaration contains excerpts from the Transcript of the
7 September 4, 2014, Deposition of Janusz A. Ordoover, Ph.D., designated by Defendants as Highly
8 Confidential.

9 9. These references or excerpts are identified in the Reply Brief with yellow highlighting.
10 An unredacted copy of the Reply Brief with yellow highlighting is being submitted to Chambers.

11 10. Accordingly, Dell requests that those highlighted portions of the Reply Brief be filed
12 under seal.

13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct.

15 Executed on February 9, 2015, in Atlanta, Georgia.

16
17 By: /s/ Matthew D. Kent

18 Matthew D. Kent

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